

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

BYTEMARK, INC.,

Plaintiff,

v.

XEROX CORP., ACS TRANSPORT
SOLUTIONS, INC., XEROX
TRANSPORT SOLUTIONS, INC.,
CONDUENT INC., and
NEW JERSEY TRANSIT CORP.,

Defendants.

Civil Action No. 1:17-cv-01803-PGG-JW

JURY TRIAL DEMANDED

**NOTICE OF PLAINTIFF BYTEMARK INC.'S MOTION TO DISMISS DEFENDANTS'
COUNTER CLAIM V AND STRIKE DEFENDANTS' TWELFTH AFFIRMATIVE
DEFENSE**

PLEASE TAKE NOTICE that, pursuant to the attached Memorandum of Law in Support of Plaintiff Bytemark Inc.'s Motion to Dismiss Defendants' Counter Claim V and Strike Defendants' Twelfth Affirmative Defense, Bytemark, Inc. will move before the Honorable Paul G. Gardephe at the United States District Court for the Southern District of New York, Thurgood Marshall United States Courthouse, Courtroom 705, 40 Foley Square, New York, NY 10007, at such time and place to be scheduled by this Court, for an Order (1) dismissing Defendants' Counter Claim V ("Unenforceability of the '567 and '764 Patents") and (2) striking Defendants' Twelfth Affirmative Defense ("Unenforceability of the Patents in Suit").

Dated: February 14, 2022

Respectfully submitted,

s/ Dariush Keyhani

Dariush Keyhani

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